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## The Solicitors' Journal

and Weekly Reporter.

(ESTABLISHED IN 1857.)

LONDON, OCTOBER 6, 1917.

ANNUAL SUBSCRIPTION, WHICH MUST BE PAID IN ADVANCE:

£1 6s.; by Post, £1 8s.; Foreign, £1 10s. 4d.

HALF-YEARLY AND QUARTERLY SUBSCRIPTIONS IN PROPORTION.

\*• The Editor cannot undertake to return rejected contributions, and copies should be kept of all articles sent by writers who are not on the regular staff of the JOURNAL.

All letters intended for publication must be authenticated by the name of the writer.

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## Current Topics.

### The Late Lieut.-Col. Cyril Johnson.

WE REFERRED recently to the death of Lt.-Col. NOEL HOUGHTON after a short career of military service marked by very rapid promotion. We regret to have to note this week the death of Lt.-Col. CYRIL BENTON JOHNSON, whose career in the Forces seems to have been very similar. An articled clerk in the office of Messrs. NORTON, ROSE, BARRINGTON & Co., and an officer in the Sherwood Territorials, he offered himself for service on the outbreak of the war, and went to the front in 1914. He rose rapidly through the various stages to be lieutenant-colonel. His recent marriage to the daughter of Mr. CHARLES LORD, solicitor, of Manchester, and the fact that he returned to the front a fortnight ago, increase the sadness of his death.

### The Agricultural Wages Board.

AMONG the "War Orders" this week will be found the Provisional Regulations which have been issued for the Agricultural Wages Board, to be established under section 5 of the Corn Production Act, 1917. It will be the duty of the Board to fix minimum rates of wages for workmen employed in agriculture for time-work, and also, if thought necessary or expedient, rates for piece work. Under the Regulations the Board is to consist of thirty-nine persons, of whom seven are to be appointed by the Board of Agriculture and Fisheries (one to be a woman), and the remainder will be representative members, elected in various ways. The Board may establish district wages committees to report and make recommendations, or may delegate their powers to them other than those to fix minimum rates of wages, and subject to regulations made by the Board of Agriculture, may authorise any such district wages committee to delegate its powers to a sub-committee. A workman employed on piece-work for which no minimum rate has been fixed may complain to the Agricultural Wages Board that the piece-rate paid to him is less than the corresponding minimum time-rate, and the Board may direct the deficiency to be paid to him; and the Board may entertain complaints as to infractions of the minimum rates.

### The New Blockade Order.

WE PRINT elsewhere the Proclamation which has just been issued prohibiting exports to Sweden, Norway, Denmark and the Netherlands. Hitherto the prohibition of exports to these countries—except Sweden—has been part of the general prohibition of exports of certain goods. The last Proclamation of this kind was that of 10th May, 1917 (*ante*, p. 480). It has a long schedule of articles, classed (A), (B) and (C) accord-

ing as the export is prohibited: (A) to all destinations, (B) to destinations abroad other than ports in British Possessions, and (C) to destinations in foreign countries in Europe and on the Mediterranean and Black Seas, other than Allied countries and Spain. Thus the export of articles in all the classes is prohibited to the four countries mentioned above. In addition to this there is an earlier Proclamation (18th August, 1916: see 60 SOLICITORS' JOURNAL, 711) which prohibits the exportation to Sweden of all articles except (1) printed matter of all descriptions, (2) empty receptacles returned to Sweden, (3) worn clothing and other personal effects, and (4) live animals other than animals ordinarily used for human food. The effect has been that Norway, Denmark and the Netherlands have been on the same footing as regards prohibition of exports as other neutral countries, but Sweden has been, since August of last year, on a stricter footing. The present Proclamation revokes that of 18th August, 1916, and makes similar provision applying to Sweden, Norway, Denmark and the Netherlands, with a shortened list of exceptions. These exceptions are now only (1) printed matter of all descriptions, (2) personal effects accompanied by their owners. Hence, as regards these countries, it is no longer necessary for exporters to refer to the long classified list of articles in the schedule to the general Proclamation—a schedule which is varied from time to time—but they have to remember that all exports are prohibited, as hitherto in the case of Sweden only, save as regards the two excepted classes, i.e., printed matter and personal effects. Attention has been drawn in the Press to the unintelligible nature of the Proclamation, and an official notice explaining it has been issued, and we print it elsewhere. In fact it has, like other legal documents, to be construed by reference to previous Proclamations, and we are not sure that this can be remedied. The real Blockade Orders—those of March, 1915, and subsequently—are by no means easy reading.

#### Aliens and the Prerogative.

IN MOST of the recent constitutional cases which have been the subject of public comment, law officers have rested their case partly on prerogative rights in time of war, and partly on statutory powers conferred by the Defence of the Realm Acts or the Aliens Restriction Act and the orders which have been made under these enactments. But in practically every case the prerogative argument has been regarded with some disfavour by our Courts, and their decision has been based on the recent Acts of Parliament. The prerogative, however, has not been ruled out of Court, and there can be no doubt that the old cases shew that, in time of war, the Crown has very wide powers of control over alien enemies, which cannot be controlled by our Courts. And in *Rex v. Commandant of Knockaloe Camp, Ex parte Forman* (Times, 21st ult.), before the Divisional Court, the right of the Crown was definitely recognized as the basis of a decision by the Judges who composed the Court. The point was simple enough. A Czech subject of the Austrian Emperor, resident since 1912 in England, and of British sympathies, had been specially exempted from internment in 1915. But, in April, 1917, as the result of certain documents regarded as suspicious, which were forwarded to America by an agency under his control, this exemption was revoked, and he was interned. The right to intern seems clear, since FORMAN is technically an alien enemy; therefore, his arrest by the Crown during times of war is the detention of a "prisoner of war," and, as such, an executive "act of State" against a person not protected by our laws as against the Crown: *Ex parte Weber* (1916, A. C. 421); *Ex parte Liebmann* (1916, 1 K. B. 268). The mere fact that he was a registered alien does not make any difference. But, in administering the Aliens Restriction Orders, a certain distinction is drawn in practice between alien enemy subjects whose nationalities are notoriously hostile to their legal overlords, such as the Czechs, and other more normal alien enemies. It was therefore contended for FORMAN, on an application for the issue of a writ of *habeas corpus* to the commandant of his camp of detention, that he was entitled to be treated as a neutral

alien, not as an alien enemy who can be made a prisoner of war. No ground of a legal nature for this suggested distinction can possibly be advanced, and the Divisional Court had little hesitation about discharging the rule nisi which had been granted in order that the point might be argued.

#### The Dwelling Place of a Vagrant.

ACCORDING to a recent article in the *Justice of the Peace* (22nd September, p. 361), an extraordinary practice—which our contemporary very properly condemns—has grown up in certain districts. Where male vagrants, tramps, and gypsies are arrested by the police, it is considered convenient to proceed against them on a charge of failing to register under the National Registration Acts. Owing to difficulties of procedure the plan adopted consists in preparing a charge against them of failing to produce their registration certificates on the demand of an authorized person, as required under section 53A of the Defence of the Realm Regulations. But, under the Regulation cited, the demand must be made at a house in which the male person charged is living. Accordingly, the vagrant is detained for the night at the police-station, and then the authorized person duly makes the demand for production by him at the station. According to our contemporary many benches of justices accept this as a demand at the house where the defendant is living, on the ground that it is the vagrant's only known place of abode. This seems clearly wrong. The place where a person is living must mean a building consecrated to "domestic purposes," whether for private ends or profit (e.g., a boarding-house or hotel), or public purposes (e.g., a workhouse or reformatory). A police-station, so far as persons detained, distinguished from the staff, are concerned, is not consecrated to "domestic," but to "punitive or preventive" purposes. There is a *casus omissus* in the Regulation in the case of vagrants without a home; but this legal fiction is inadequate to supply the omission.

#### Overpaid Rates and the Statutes of Limitation.

A NEAT LITTLE point under the Public Authorities Protection Act, 1893, has just been decided by His Honour Judge SPENCER HOGG, the Bury County Court Judge, in *Smethurst v. Bury Corporation* (81 J. P. Newspaper, p. 369). When the sum claimed by way of rates on a demand note is paid by the occupier, and at a subsequent date his assessment is lowered retrospectively so as to render the sum demanded and paid excessive, on what date does his right of action to recover the money accrue? Is it the date on which he made the payment, as the general line of cases certainly suggests? Or is it the date on which the assessment was lowered? The point is important, as the Public Authorities Protection Act bars action against the rating authority after six months. Now SMETHURST took objection to his assessment in August, 1915, but it was not until eighteen months afterwards, namely, in January, 1917, that his objection was considered and the assessment reduced by the assessment committee. It is well-accepted practice in rating law that the reduction is retrospective as from the date when the objection was taken—here August, 1915—and not from the commencement of the year of assessment. No dispute arose on this point. But in September, 1915, SMETHURST had received a demand note for the general district rate, leviable from March, 1915, to March, 1916, and had paid it at once—nearly eighteen months before his assessment was reduced. On the reduction he applied for repayment of the excess as from August, 1915, the date of his objection to the assessment, and took legal proceedings to recover it. He was met with the plea that his action was out of time, but the judge held that this was not so. His legal remedy—an action in *debet* on the *indebitatus* common count for "money had and received"—proceeds on the legal fiction that money paid under a mistake of fact is held by the recipient to the use of the payer. The obligation to repay does not arise until the payer has a right to demand return of the money, and that right does not arise until the reduction of the assessment has rendered the payment excessive.

### The Retiring Common Serjeant.

IN our remarks on the Common Serjeant last week under "Current Topics" we referred to him as Mr. BOSANQUET. Of course, as our notice of his impending retirement in another column shewed, he is Sir F. A. BOSANQUET, and has borne that title since he received the honour of knighthood in 1907. Such comment as we were making started from a period when honours had not been conferred and reputation was still in the making, and the plain "Mr." came readily to the pen. By the way, we may add that Sir FREDERICK BOSANQUET early acquired fame as one of the joint authors of "Darby and Bosanquet on the Statutes of Limitations," long the standard work on the subject.

## The Pilfering of Local Names of Property.

REMARKABLE as it may appear, no person has a legal right to the exclusive use of the name by which he, or a predecessor in title, has chosen to designate his freehold or leasehold property, or any part thereof. The *Ashford Lodge* case, discussed in the Court of Appeal in 1878, though admittedly a case of first impression, is conclusive in support of that statement. In that case, of two adjoining private houses, one was known as "Ashford Lodge" and the other as "Ashford Villa." The former had been so known for sixty years and the latter for forty years before the day when the owner of the villa altered its name to Ashford Lodge. The Court held that this alteration was no violation of any of the legal rights of the owner of the lodge, and accordingly allowed a demurrer to his statement of claim in the action he brought: *Day v. Brownrigg* (10 Ch. Div. 294). If he wished a remedy it was the simple and inexpensive one of himself altering the name of his own residence, or, if it applied, of using merely the bald designation of the authorized number of his house in the road or street (10 & 11 Vict. c. 34, s. 64).

There is, however, such a thing as competition and business rivalry, and attentive readers of the report of this important case will not fail to observe that the plaintiff only alleged inconvenience, annoyance and a diminished value of property as consequent on the defendant's too unneighbourly act. It is with some confidence submitted that there would have been an *injuria* had the plaintiff been in a position to have gone a step further and proved a fraudulent or malicious intention, or an intent to injure him. Still, if these additional elements be present it would, to our way of thinking, be better to regard redress as given to protect the property in the trade, goodwill or other thing which was, or would be, injured by the use of the name of the house, rather than to protect any property in that name. For example, in the noteworthy and, at first blush, strong *Carriage Bazaar* case, the plaintiff was a seller of carriages in Baker-street, London, and he had for forty years been established there, and used the title of "the Carriage Bazaar." The defendant then opened another house in the street, announced it as a carriage repository, and subsequently put up the title of "the New Carriage Bazaar." On the evidence, the Vice-Chancellor GIFFARD decided that the case came within the jurisdiction of the Court, and granted an injunction against the use by the defendant of the latter title; but his honour explicitly stated that the intelligible rule in such cases, and the one on which he based his decision, was not that the plaintiff had any property in the particular title, but that he had a right to prevent another person from personating his business by using any such description as would lead customers to suppose that they were dealing with him: *Boulnois v. Peake* (13 Ch. Div. 513, note). Indeed, had his honour admitted, and based his decision on, any alleged monopoly rights in the title "the Carriage Bazaar," we should feel constrained to point out, and remark that, as the title

Carriage Bazaar is not particularly descriptive or symbolical, but rather one many a person would ingenuously use as a general description of his trade, it would have been a strong course to have countenanced or maintained any claim on that ground in this particular case (see *Colonial Assurance Co. v. Home and Colonial Assurance Co.*, 33 Beav. 548).

An inquirer is often able to seize the definite and true position by contrast rather than by direct allegation; and, as an interesting, and very instructive, contrast to the *Carriage Bazaar* case, we may well call the reader's attention to a case adjudged some five-and-twenty years ago in the United States. Shortly, the facts of the case were that the goodwill of a business carried on by Messrs. STILLMAN & Co. was purchased by B, but a mill which the firm formerly used, and which was known as "Stillman's Mill," was taken on lease by A. At this mill A began to manufacture goods similar to B's, and to sell them ticketed with a label containing the words "Stillman's Mill." The Court refused to grant an injunction, but on what grounds? Because it could find no evidence, or perceive any probability, of fraud, and A was entitled to place his address, the name of the mill, on his goods, so long as he did so without fraud: *Carmichael v. Latimer* (28 Amer. Rep. 481). Or, in other words, because the American court applied to the facts of the case the same root principle the Vice-Chancellor GIFFARD did to the facts of the case before him. The result in each of these cases was a question of evidence whether a person's property in the goodwill of his business had been, or would be, injured by the unfair use of the title or name in question.

Why, it may be asked, is it considered too curious in an intelligent layman to stay to inquire whether the right to name, or re-name a road, is vested in the owner of the soil, the speculative builder, or a majority of the residents? As one very small result of the war, the question may arise any day. In practice all street nomenclature resolves itself into a question of usage and reputation. From time to time during the past seventy years the Legislature has seen sufficient cause to limit, or modify, the common law right, either by general or local Acts. One of the former, the Towns Improvement Clauses Act, 1847 (10 & 11 Vict. c. 34), s. 64, enables a local authority, wherever the section is in force, to re-name a new street: *Collins v. Hornsey Urban Council* (1901, 2 K. B. 180); but, very properly, as we think, refrains from empowering it to change the name of an old and well-known street: *Anderson v. Dublin Corporation* (15 L. Rep. Ir. 410). A local authority's power in this particular was, however, extended by the recent Public Health Amendment Act, 1907 (7 Ed. 7, c. 53), s. 21, in places where that section is in force, and in cases where the consent of two-thirds in number and value of the ratepayers in the street to the proposed alteration is obtainable.

We have thus sketched the salient points of the subject that are worthy to be memorized. The Victorian development of local government sometime impinged upon the amount of liberty enjoyed by our forefathers, as, for instance, we observed in the case of street names. Whenever an action respecting the misuse of the name of a parcel of property lies, or whenever an injunction is granted to restrain a misuse thereof, it must appear that such misuse manifested a misrepresentation which had injured, or was calculated to injure, another, and that most commonly, if not exclusively, in his trade or business. The antiquity or aptness of a designation, the sentiments or traditions of kindred it may evoke, the nullification of the very object of a designation, the marked want of due consideration for a neighbour, each is a mere *damnum absque injuria*. Whether the State is right in deeming it politic not to interfere in such matters, and in considering the general welfare will be best promoted by leaving them to the conventions of right doing, is, of course, open to discussion. This much most Englishmen will maintain—that to sustain, or to justify, any limitation in individual freedom of action, it is necessary to shew, not merely that there is a specific reason in favour of it, but that this reason is more cogent than the reasons against such limitation.



There is another topic germane to the subject that we would wish very briefly to refer to in conclusion, because it is both interesting and analogous to the view already explained. With the telegraphs under the control of the Government, an abbreviated address for telegraphic purposes must be subject to the official regulations; but apart from anything such regulations may prescribe, no person, not even a trader, can be a monopolist of any cable or telegraphic address. The confusion and annoyance which would necessarily arise from two persons having identical addresses is not of itself sufficient to sustain an action by either person; to do so it is essential to prove that the one against whom the action is brought did intend, by the use of the same address, to injure the plaintiff's trade, or that he thereby represented himself as the plaintiff, or as carrying on the plaintiff's business, or that he thereby attracted the plaintiff's business: *Street v. Union Bank of Spain and England* (30 Ch. Div. 156).

The comprehension of great and leading principles by tracing them out to their source, aided by reflecting on interesting illustrations, affords an easy access to the satisfactory consideration of those innumerable details or complications which arise in daily professional life; and many will think that it is much to be regretted should modern legislation have converted any branch of the law into a indigestible patchwork of statement by a sacrifice of rudimentary principles to the mere demands of politicians.

## The Bosphorus and Dardanelles.

ONE of the most important questions raised by the present war is that of the future possession and regulation of the narrow straits which connect the Black Sea with the Mediterranean, and an extremely valuable examination of it in its various aspects is contained in the volume by Dr. COLEMAN PHILLIPSON and Mr. NOEL BUXTON which has just been published.\* "The essence of the Straits problem," they say, "is this—What status should be conferred on the Bosphorus and the Dardanelles in order to assure to all countries such freedom of navigation in those waters as will facilitate their commercial intercourse and safeguard their interests? And—as a corollary—who is to be the guardian of the Straits that will carry out the régime involved and impart confidence to the rest of the world that it will be carried out uniformly, equitably, and faithfully?" At present, of course, the waterway is subject to the sovereignty of the Sultan, but, directly or indirectly, it has been the subject of perpetual warfare; and after preliminary chapters in which the problem and the position of waterways in general under international law are defined, the course of this warfare in modern times is outlined. By the end of the fifteenth century the Turks had acquired the north coast of the Black Sea, and this, being then surrounded with Ottoman territory, was regarded as a Turkish lake, and the rule of closing the Dardanelles and Bosphorus came to be considered a fundamental principle of the public law of the Ottoman Empire.

Special relaxations of this principle were obtained by various maritime States by means of capitulations. In the sixteenth century capitulations were obtained by France, England, the Venetian Republic, and the Netherlands, by which rights to sail in Ottoman waters were granted, and also—the more familiar feature of these conventions—the subjects of those States were entitled to the benefit of their own national law. But these stopped short of conceding freedom of navigation in the Black Sea, and when, in 1700, PETER THE GREAT attempted to obtain rights of navigation for Russia, he was met with the reply that all foreign vessels would be excluded from the Black Sea, which was regarded by the Porte as a "chaste and pure virgin inaccessible to everybody." It was the object of the frequent wars between Russia and Turkey in the eighteenth century to break down this principle, to open for Russia an outlet to the south, and by the end of the century the probable break-up of the Turkish Empire had already become the subject of discussion among diplomatists. Immediately, however, it was Poland and not Turkey that was broken up, and the European Powers had enough on their hands without partitioning Turkey as well; but the treaty of Kutchuk-Kainardji in 1774 gave Russia liberty of navigation in the Black Sea, subject, however, to Turkish control, and soon after Russia annexed the Crimea. This was under the

Empress CATHERINE, but her scheme for acquiring Constantinople itself came to an end with her death in 1796. The struggles which followed were part of the war which convulsed Europe at the end of the eighteenth and beginning of the nineteenth centuries. Plans were formed for the dismemberment of Turkey—already known as "the sick man," and the Russian Emperor ALEXANDER suggested in 1808 that Constantinople should be made "*une espèce de cille libre*"—the beginning, it may be hoped, of a fruitful idea. On the other hand, Russian statesmen urged the view—never again dropped until the recent revolution—that their country should have both Constantinople and the Straits.

But through all the changes incident to the Napoleonic Wars, Turkey insisted on her exclusive right of sovereignty over the Straits, and the rule that warships of every nation were prohibited from entering them—both the Bosphorus and the Dardanelles—was affirmed as "the ancient rule of the Ottoman Empire," an expression used, it seems, for the first time in the Treaty of Constantinople, or the Peace of the Dardanelles, between England and Turkey in 1809, but of common occurrence afterwards. By that treaty Great Britain undertook to observe the rule, but required Turkey in return to close the Straits to all other military flags—a restriction of the sovereign power of Turkey under which she was entitled to relax the rule at will. The same treaty gave Great Britain a hand in Turkish affairs and the struggle by Turkey for exclusive possession was thenceforward transformed into a struggle between the European Powers—in particular Great Britain and Russia—for control of Turkey and through her of the Straits. The question of the Straits was not settled by the Treaty of Paris of 1815, and it was soon raised again, and was an incident of the troubles between Turkey and her revolted dependencies, Greece and Egypt. The Treaty of Adrianople in 1829, which affected a settlement of Greek affairs, also affirmed the special treaty rights of Russia to freedom of navigation in the Straits and the Black Sea. Next, her intervention in Turkish affairs, for which the revolt of MEHMET ALI had given the opportunity, resulted in the Treaty of Unkiar-Skelessi of 1833, by which the Treaty of Adrianople was affirmed and Russia assumed the guardianship of Turkey. By a secret article of this later treaty the Dardanelles were to be closed to foreign warships during war between Russia and any other foreign Power. Naturally this aroused the fears of the Western Powers, and formal protests were made by Great Britain and France—protests which the authors of the present work observe were not based on legal grounds, but depended solely on political considerations.

Perhaps the Treaty of Unkiar-Skelessi may be regarded as the origin of the jealousy between Great Britain and Russia which was a leading characteristic of European politics in the nineteenth century. Steps were taken to prevent Russia from retaining the predominant influence in Turkish affairs which that treaty gave her, and in 1840 a fresh treaty—the Treaty of London—was made between four of the five Great Powers (Great Britain, Russia, Prussia, and Austria) and Turkey. France, for special reasons, was not a party. This primarily provided for the protection of the Sultan against MEHMET ALI, but it also affirmed "the ancient rule of the Ottoman Empire" and excluded all foreign warships from the Straits in time of peace. This was repeated next year in the Convention of London, to which France was a party, and the rule then became a rule not only of the Ottoman Empire, but a rule of European International Law. It involved indeed, like the Peace of the Dardanelles of 1809, a restriction of the Ottoman sovereignty, since the right to relax the rule was given up. But Russia did not submit to the loss of influence in Turkey which the Treaty and Convention of London involved, and the question of her right to intervene for the protection of the Greek Church—i.e., of the Holy Places in Jerusalem—led to the Crimean War. This was concluded by the Treaty of Paris in 1856, and in the negotiations for the treaty the question of the Black Sea and the Straits held a prominent place. By Art. 7 Turkey was admitted into the European system, and her territorial integrity guaranteed; Art. 9 was intended to ameliorate the condition of her Christian subjects; Art. 10 revised the Convention of 1841 and closed the Straits, while the Porte was at peace, to foreign warships; and Art. 11 declared the neutralization of the Black Sea; that is, its waters and ports were thrown open to the merchant ships of every nation, and warships of all Powers were "formally and in perpetuity" interdicted from using them. The result of all this history Dr. COLEMAN PHILLIPSON and Mr. BUXTON state as follows:—

"Before the Russian expansion under Peter the Great and Catherine II. the Black Sea was a Turkish lake. After the Treaty of Unkiar-Skelessi it became virtually a Russian lake. Now, the Treaty of Paris made it a European sea, and placed it under the express sanction of the Powers."

Again Russia had been foiled, and her object henceforth was to de-neutralize the Black Sea and remove the burden which the

\* "The Question of the Bosphorus and Dardanelles." By COLEMAN PHILLIPSON, M.A., LL.D., Litt.D., Barrister-at-Law, and NOEL BUXTON, M.A., M.P. Stevens & Haynes. 12s. 6d. net.

Treaty of Paris had imposed on her. It was, indeed, recognized that she had been placed at an unfair disadvantage, and the arrangement was destined to have only a short duration. The European situation brought about by the Franco-Prussian War gave her, as the authors point out, the longed-for opportunity. She had observed a friendly neutrality towards Prussia, and opposition was not to be expected from that quarter; indeed, the support of Prussia was formally secured in advance. Then, in October, 1870, Prince GORTCHAKOFF issued his circular despatch, in which he urged that the condition which the Treaty of Paris assumed—namely, the removal of the possibility of conflict between the Powers bordering on the Black Sea, or between them and the Maritime Powers—did not in fact exist. Disarmament was forced on Russia, while there was no corresponding restriction on other Powers. Accordingly Russia denounced this clause of the treaty. Lord GRANVILLE, then Foreign Minister, immediately protested on the ground that a single Power could not withdraw from an engagement which bound all the parties to it, and France took the same view. Opinion in the United States, it seems, was on the side of Russia, but that country had never recognized the Treaty of Paris. The matter raised very clearly the question whether the condition *rebus sic stantibus* was to be regarded as implied in all treaties. In discussing this Dr. COLEMAN PHILLIPSON repeats what he has said recently in *International Law and the Great War* (p. 47), and argues strongly for the continuance of treaty obligations until varied by consent as an essential condition for the existence of international law. This principle was affirmed at the Conference which met in London in January, 1871, but as the result of prolonged negotiations the claims of Russia were admitted and the clauses of the Treaty of Paris relative to the neutralization of the Black Sea were abrogated, and different provision was made by the Treaty of London of 1871. This affirmed the principle of the closing of the Straits to ships of war, but restored to the Sultan his power to admit them if he chose, in time of peace, and it declared the Black Sea to be open to the mercantile marine of all nations. This is the last international Act regulating the legal position of the Bosphorus and the Dardanelles, and it left Russia "at liberty to build and maintain a fleet [in the Black Sea], to restore the fortifications of Sebastopol, and so [she] was in a position to become once more a direct menace to Constantinople."

It is unnecessary to follow the authors through the more recent phases of this history—e.g., the Russo-Turkish War, which led to the Treaty of Berlin of 1878—and the practical difficulties which have arisen in the application and interpretation of the Rule of the Straits as it was left by the Treaty of London of 1871 and affirmed by Art. 63 of the Treaty of Berlin. Most important, perhaps, was the attempt by Russia to make use of the Straits for the passage of warships in the Russo-Japanese War. On that occasion the Rule of the Straits proved a powerful ally to Japan, and the best squadron of Russia was imprisoned in the Black Sea when its assistance was imperatively required in the Pacific. The last part of the book is occupied with the question of reconstruction, and that is where it will be found specially useful at the present time. There has been a party in Russia which has looked on Constantinople as the future capital of a pan-Slav federation, and on the Straits as future possessions of Russia. An opposing view, which has also been held in Russia, is "that Constantinople should be constituted the metropolis of a Balkan Confederation, that its port should be open to all nations, and the fortifications of the Straits should be destroyed, and the Straits themselves internationalised." The latter view did not commend itself to the Government of the ex-Czar, and it was soon apparent that that Government intended to make use of the war as a means of aggrandizement and to satisfy its long-cherished desire for the possession of Constantinople. We are not sure that the engagements of Great Britain on the subject have ever been formally stated, or the question discussed. Obviously, while the peace settlement would raise the question of the future disposition of Constantinople and the Straits, it would be quite foreign to the objects with which Great Britain entered it to permit it to result in the increase of Russian territory. The whole outlook, however, has been changed by the Russian Revolution, and it is now understood that Russia aims at no annexations.

Thus the question of the Straits remains for settlement in the peace negotiations without the danger which would have arisen had there been no Russian Revolution. As regards opinion outside Russia the authors say:—

"Whatever advocates there may be of schemes for assigning Constantinople and the Straits to this or that Power, there is undoubtedly an overwhelming majority of opinion in favour of internationalization."

And in support of this the views of various writers are stated. Sir EDWIN PEARCE, it may be noted, maintains "that the only guarantee of a durable peace is the establishment of a free, international Constantinople. The Bosphorus must be open to all ships of all

nations. He suggests that a small independent State (whose limits he indicated), with Constantinople as its centre, should be formed; it should remain neutral for ever, and should be governed by an International Commission, without any individual ruler whatever. This neutral, independent State should possess no army, but only an efficient police to preserve order, and its integrity should be guaranteed by 'enduring and binding' treaties entered into by all the Powers."

The authors close their extremely interesting book with a detailed suggestion as to the solution of the question which in their view is the best. They decide against the exclusive possession of the Straits by any one Power as being in the case of such international waterways really contrary to the fundamental principles of international law and usage; while they consider that the occupation of Constantinople by Russia would even prove a danger to herself; and they are strongly in favour of making the Straits free for the navigation of warships, as well as merchantmen, of all nations, in time of war as in time of peace. The best mode of establishing this liberty is, they say, by applying the principle of internationalization, "and the most desirable system of internationalization is that which is secured by the joint guarantee and protection of the Powers." They then set out in a series of fifteen articles the details of such a system. As regards Constantinople, they suggest that "the best solution in the circumstances is without doubt to constitute it a free town, and place it under the conjoint protection of the Powers, including the United States." We have read the book with great interest, and we have felt that the most useful way of dealing with it was to summarize both its history and its suggestions. It will abundantly repay study.

### Books of the Week.

**Income Tax.**—A Summary of the Law of Income Tax, Super-Tax, and Excess Profits Duty under The Finance Acts 1915 and 1916, with Supplement for the Financial Year, 1917-1918. By F. G. UNDERHAY, M.A., Barrister-at-Law. New Edition. Ward, Lock & Co. (Limited). 2s. net.

**Copyright.**—Copyright Cases, 1916. By E. J. MACGILLIVRAY LL.B. (Cantab.), Barrister at-Law. The Publishers' Association, Stationers' Hall-court.

### Correspondence.

#### Increase of Rent and Mortgage Interest (War Restrictions) Act, 1915.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—Section 2 (2) of the above Act provides that "This Act shall apply to a house or part of a house let as a separate dwelling . . . where either the annual amount of the standard rent or the rateable value of the house or part of the house does not exceed . . ."

We observe that it is stated in a recent publication dealing with such Act that the Act only applies where a house is "let" and that it does not apply to a house where a mortgagor is himself in occupation. We shall be glad to know if in your view this is a correct reading of this section, as, if so, it would seem to penalise a person who is endeavouring to obtain his own house whilst protecting larger owners of property who are better able to look after themselves.

DUNN AND BAKER.

Castle House, Exeter. Oct. 2, 1917.

[On a former occasion we suggested that the above was the strict construction of the Act (60 *Solicitors' Journal*, 365, 25th March, 1916). We do not remember that any fresh light has been thrown on the matter.—ED. S.J.]

### Solicitors and Reconstruction.

[To the Editor of the Solicitors' Journal and Weekly Reporter.]

Sir,—In reference to your note under "Current Topics" in your issue of last week, you rightly say that after the war the final examination will no doubt be insisted on in the case of articulated clerks now on active service; but are you aware that the Law Society have declined to consider the elimination of even the bookkeeping examination in these cases?

I have a son now serving who passed his intermediate examination in November, 1914, just before joining, but who failed by only a few marks to pass the bookkeeping examination. I wrote to the Secretary of the Law Society on the subject just before the decision above referred to, but have never received anything beyond



a formal reply, from which I imagine that the decision covers the case I raised.

I have not pressed the question simply because it is quite uncertain whether it will ever become of practical interest, but the facts I have given hardly show a frame of mind among the older members of the profession calculated to lead to any such relaxation as you suggest.

E. S. WOODROFFE.

39, Eastcheap, London, E.C. 3. Oct. 2, 1917.

[We should have thought the bookkeeping examination might very well have been omitted. This is a subject which it is not difficult to learn by actual practice.—ED. S.J.]

## New Orders, &c.

### The Re-opening of the Courts.

On the occasion of the re-opening of the Law Courts a special service will be held at Westminster Abbey, at 11 a.m., which the Lord Chancellor and His Majesty's Judges will attend.

In order to ascertain what space will be required, members of the Junior Bar wishing to be present are requested to send their names to the Secretary of the General Council of the Bar, 2, Hare-court, Temple, E.C., before 4 p.m. on Thursday, 11th October.

Barriers attending the service must wear robes. All should be at the Jerusalem Chamber, Westminster Abbey (Dean's-yard entrance), where robing accommodation will be provided, not later than 10.45 a.m.

Barriers now serving in His Majesty's Forces may, if it is more convenient to them, appear at the service in military uniform and not in their robes.

A limited number of seats in the south transept will be reserved for friends of members of the Bar, to whom one ticket of admission (or if possible two) will be issued on application to the Secretary of the General Council of the Bar.

No tickets are required for admission to the north transept, which is open to the public.

FREDERICK SMITH, Attorney-General.

The Lord Chancellor will receive the Lord Mayor-elect at the House of Lords at 10.15 a.m. on the morning of 12th October. At 11 there will be a special service at Westminster Abbey. Places will be reserved for the Judges, King's Counsel, and officers of the Supreme Court.

The Dean will receive the Judges at the West Door, and the service will be over at 11.45. King's Counsel, officers, and other judicial and official persons will enter by Dean's-yard, and the Junior Bar will enter by Jerusalem Chamber. The ceremony of Opening the Courts will follow immediately after the service.

Carriages will take up at the Poet's Corner entrance, and those who intend to take part in the procession at the Courts will go at once to the Strand entrance of the Royal Courts of Justice.

## War Orders and Proclamations, &c.

The *London Gazette* of 28th September contains the following:—

1. An Order in Council, dated 28th September, varying the Statutory List under the Trading with the Enemy (Extension of Powers) Act, 1916. Additions are made as follows:—Argentina, Paraguay, and Uruguay (1); Chile (3); Colombia (4); Netherlands (8); Netherland East Indies (7); Norway (4); Peru (1); Spain (12); Sweden (11). There are also a number of removals from and variations in the List, and the usual notices are appended (*ante*, pp. 322, 649). A List (The Consolidating List, No. 33a) consolidating all previous Lists was published on 17th August, 1917, which, together with Lists Nos. 34 and 35, of 31st August and 14th September, 1917, respectively, and the present List, contain all the names which up to this date are included in the Statutory List.

2. The Raw Cotton (Prices) Order, 1917, dated 21st September, 1917, issued by the Board of Trade (printed below).

3. Two Liquor Control Orders for the Hereford Area, dated 27th and 28th September. The chief parts are given below.

4. An Army Council Order, dated 21st September (printed below), as to Sheep and Lambs' Skins.

5. Provisional Regulations under the Corn Production Act, 1917, dated 28th September, issued by the Board of Agriculture and Fisheries (printed below).

6. A Notice that the following Orders have been made by the Food Controller:—

The Milk (Prices) Order, 7th September, 1917 (*ante*, p. 772).

The Meat (Maximum Prices) Order, 29th August, 1917, as amended by the Meat (Maximum Prices) Order (No. 2), 11th September, 1917, No. 943 (*ante*, p. 771).

7. An Admiralty Notice to Mariners (No. 984 of the year 1917, revising No. 578 of 1917, which is cancelled) relating to England, South Coast, and comprising (1) Regulations regarding Trading, Fishing and

Pleasure Craft; (2) Newhaven—Closing of the Port; (3) Spithead Approach—Restriction of Traffic, Prohibited Anchorage; and (4) Poole Bay and Solent Approach—Restriction of Traffic.

The *London Gazette* of 2nd October contains the following:—

8. A Proclamation, dated 29th September (printed below), prohibiting Exports to Sweden, Norway, Denmark and the Netherlands.

9. An Order in Council, dated 29th September (printed below), making new Defence of the Realm Regulations.

10. An Order in Council, dated 29th September (held over), making Regulations as to the Registration of Government Ships as British Ships.

11. A Foreign Office (Foreign Trade Dept.) Notice, dated 2nd October, 1917, that the following additions or corrections have been made to the list published as a supplement to the *London Gazette* of 17th August, 1917, of persons to whom articles to be exported to China may be consigned.

12. A Ministry of Munitions Order, dated 1st October (printed below), as to Acetic Acid.

13. Three Army Council Orders, dated 24th to 29th September (printed below), as to Hosiery Needles, Wool, and Merino Tops.

## A Proclamation

PROHIBITING UNDER SECTION 1 OF "THE EXPORTATION OF ARMS ACT, 1900," AND SECTION 1 OF "THE CUSTOMS (EXPORTATION RESTRICTION) ACT, 1914," THE EXPORTATION FROM THE UNITED KINGDOM OF CERTAIN ARTICLES TO SWEDEN, NORWAY, DENMARK, AND THE NETHERLANDS.

[Recitals.]

And whereas by virtue of a Proclamation dated the 18th August, 1916, made in pursuance of the said Exportation of Arms Act, 1900, as amended by the Customs (Exportation Restriction) Act, 1914, all articles whatsoever other than those excepted by the said Proclamation are now prohibited to be exported to the Kingdom of Sweden:

And whereas by virtue of a Proclamation dated the 10th May, 1917, made in pursuance of the said Acts, and by subsequent Orders of Council issued under the authority of the later Act, certain goods are now prohibited to be exported to, *inter alia*, the Kingdoms of Norway, Denmark, and the Netherlands:

And whereas We have deemed it expedient to revoke the said Proclamation dated the 18th August, 1916, and to prohibit the exportation to Sweden, Norway, Denmark, and the Netherlands, of all articles whatsoever other than those hereinafter excepted:

Now, therefore, &c., it is hereby declared, that the above-mentioned Proclamation dated the 18th August, 1916, be, and the same is hereby, revoked as from the 8th day of October, 1917, and that the exportation of the following articles be prohibited on and after that date to all ports and destinations in Sweden, Norway, Denmark, and the Netherlands, viz.:—

All articles which are not by virtue of any Proclamation for the time being in force made under Section 8 of the Customs and Inland Revenue Act, 1879, as amended by any Act, or under the Exportation of Arms Act, 1900, as amended by any Act, prohibited to be exported to Sweden, Norway, Denmark, and the Netherlands, except:—

(1) Printed matter of all descriptions.

(2) Personal effects accompanied by their owners.

29th September.

[See also below under "New Blockade Order."]

## New Defence of the Realm Regulations.

### ORDER IN COUNCIL.

[Recitals.]

Now, therefore, &c., it is hereby ordered, that the following amendments be made in the Defence of the Realm Regulations:—

1. *Protection of Munition Workers from Ejectment.*—At the end of Regulation 2a the following sub-section shall be inserted:—

"(2) If as respects any area in which the work of manufacturing, producing, repairing, storing or transporting war material is being carried on, the Minister of Munitions is of opinion that the ejectment from their dwellings of workmen employed in that work is calculated to impede, delay, or restrict that work, he may by order declare the area to be a special area for the purpose of this regulation.

"Whilst the order remains in force no person shall, without the consent of the Minister of Munitions, take, or cause to be taken, any proceedings for the purpose of obtaining an order or decree for the recovery of possession of, or for the ejectment of a tenant of, any dwelling house or other premises situate in the special area, being a house or premises in which any workman so employed is living, so long as the tenant continues duly to pay the rent and to observe the other conditions of the tenancy, other than any condition for the delivery up of possession.

"If any person acts in contravention of this regulation he shall be guilty of a summary offence against these regulations."

2. *Prohibition of Dealings in Munitions and War Material.*—Regula-

tion 30 shall be amended by the insertion therein after the words "imposed by the order" of the words "or, where any such permit as aforesaid is granted subject to any conditions, fails to comply with those conditions."

3. *Pilotage.*—Regulation 39 shall be amended by the insertion after the words "payment of pilots" of the following paragraph:—

"The power of the Army Council under this regulation to make orders providing for pilotage being compulsory may, as respects vessels within the limits of any defended port in the United Kingdom, be exercised by the competent military authority or any pilotage authority duly authorized by him in writing."

4. *Powers of the Shipping Controller.*—After Regulation 39cc the following regulation shall be inserted:—

"39ccc. If it appears to the Shipping Controller that for the purpose of preventing congestion of traffic it is desirable to provide further storage accommodation at any port or harbour in the United Kingdom, the Shipping Controller or any person duly authorized by him in that behalf may take possession of such buildings or other property as the Shipping Controller may think necessary for the purpose of providing the requisite accommodation."

5. *Falsification of Reports, &c.*—Regulation 45 shall be amended by the insertion of the following new paragraph after paragraph (h):—

"or

"(i) Uses or has in his possession or under his control without the authority of the Government Department or Authority concerned any die, seal, or stamp, of, or belonging to, or used, made, or provided by, any Government Department or by any diplomatic, naval or military, authority appointed by or acting under the authority of His Majesty or appointed by or acting under the authority of the Government of any Allied State, or counterfeits any such die, seal, or stamp, or uses or has in his possession or under his control without lawful authority or excuse any such counterfeited die, seal, or stamp."

29th September.

## Agricultural Wages Board.

### PROVISIONAL REGULATIONS WITH RESPECT TO THE CONSTITUTION AND PROCEEDINGS OF THE AGRICULTURAL WAGES BOARD (ENGLAND AND WALES).

In pursuance of the provisions of Part II. of the Corn Production Act, 1917, and of Section 2 of the Rules Publication Act, 1893, the Board of Agriculture and Fisheries hereby certify that on account of urgency the following Regulations with respect to the constitution and proceedings of the Agricultural Wages Board (England and Wales) should come into immediate operation, and accordingly make the following Regulations to come into operation forthwith as Provisional Regulations:—

1. An Agricultural Wages Board shall be established for England and Wales, consisting of 39 persons, of whom seven shall be appointed members and the remainder representative members. The representative members shall be members representing employers and workmen, respectively, in equal proportions.

2. The Chairman and Deputy Chairman shall be appointed by the Board of Agriculture and Fisheries from among the members of the Wages Board, and each of them shall (provided that he continues to be a member of the Wages Board) hold office for such period as the Board of Agriculture and Fisheries may determine.

3. The appointed members shall be such persons as may be selected by the Board of Agriculture and Fisheries to act on the Wages Board, provided that at least one shall be a woman.

4. The selection and appointment of representative members shall, subject to the provisions of paragraph 5 of these Regulations, be as follows:—

Of the members representing employers, eight shall be elected as follows:—

2 representatives by the Council of the Royal Agricultural Society of England.

2 representatives by the General Executive Committee of the National Farmers' Union.

2 representatives by the Council of the Central and Associated Chambers of Agriculture.

2 representatives by the Welsh Agricultural Council.

Eight members representing employers shall be nominated by the Board of Agriculture and Fisheries, after due consideration of any names which may be submitted by agricultural associations or otherwise, and after such local inquiries as the President of the Board may deem desirable.

Of the members representing workmen six shall be elected by the Executive Committee of the National Agricultural Labourers' and Rural Workers' Union and two by the General Executive Committee of the Workers' Union. Eight members representing workmen shall be nominated by the Board of Agriculture and Fisheries, after consultation with the Ministry of Labour, and after due consideration of any names submitted by workmen and their representatives.

5. In the election and nomination of representative members, regard shall be had, so far as practicable, to securing on the Wages Board a fair representation of all classes of farming, and of the various conditions of employment in agriculture in all parts of the country. Where, as

the result of any elections under the provisions of paragraph 4, such fair representation cannot, in the opinion of the Board of Agriculture and Fisheries, be secured on the Wages Board, the Board of Agriculture and Fisheries may, in addition to the persons nominated by them under paragraph 4, nominate a representative member in place of any person so elected.

6. The Board of Agriculture and Fisheries may, notwithstanding the provisions of paragraph 1, if they think it necessary to secure the proper representation of any classes of employers or workmen, after giving the Wages Board an opportunity to be heard, nominate additional representative members of the Wages Board to serve for such period, not exceeding three years, as may be determined by the Board of Agriculture and Fisheries. The number of such additional representative members shall always be an even number not exceeding four in all, of whom half shall be representatives of employers and half shall be representatives of workmen.

7. Any member representing employers who becomes a workman in agriculture shall vacate his seat. Any member representing workmen who becomes an employer in agriculture shall vacate his seat. The question of fact shall in each case be determined by the Board of Agriculture and Fisheries.

8. Any representative member who, in the opinion of the Board of Agriculture and Fisheries, fails without reasonable cause to attend one-half of the total number of meetings in a calendar year shall vacate his seat.

9. If in the opinion of the Board of Agriculture and Fisheries any representative member shall be incapable of acting as a member of the Wages Board, the Board of Agriculture and Fisheries may determine his appointment, and he shall thereupon vacate his seat.

10. At the end of one year from the date of the establishment of the Wages Board five representative members to be chosen by lot from among the members representing employers and five representative members to be chosen by lot from among the members representing workmen (in each case excluding additional representative members nominated under paragraph 6 of these Regulations) shall retire from the Wages Board.

11. At the end of two years from the date of the establishment of the Wages Board five representative members to be chosen by lot from among the members representing employers and five representative members to be chosen by lot from among the members representing workmen (in each case excluding additional representative members nominated under paragraph 6 of these Regulations and excluding members filling the vacancies created by the operation of paragraph 10) shall retire from the Wages Board.

12. The term of office of an appointed member shall be two years, and, subject to the provisions of paragraphs 6, 7, 8, 9, 10 and 11, the

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term of office of a representative member shall be three years, provided that—

- (a) A member appointed to fill a casual vacancy shall sit only for the unexpired portion of the term of office of his predecessor; and  
(b) A seat rendered vacant by effluxion of time shall, in the event of delay occurring in filling it, be temporarily occupied by the retiring member until a successor is appointed.

13. Any person vacating his seat on the Wages Board under any of the preceding paragraphs or for any other reason otherwise than under paragraph 9 of these Regulations shall be eligible to be re-appointed as a member of the Wages Board.

14. A vacancy among representative members shall be filled in the same manner as in the case of the original appointment to the vacated seat.

15. Every member of the Wages Board shall have one vote. If at any meeting of the Board the number of members present representing employers and workmen, respectively, is unequal, it shall be open to the side which is in the majority to arrange that one or more of their members shall refrain from voting, so as to preserve equality. Failing such an arrangement, the Chairman, or, in his absence, the Deputy Chairman, may, if he thinks it desirable, adjourn the voting on any question to another meeting of the Board. The Chairman, or, in his absence, the Deputy Chairman, shall, in the event of an equal division, have a second or casting vote.

16. The expressions "agriculture" and "workmen" in these Regulations shall have the meanings given in Section 17 (1) of the Corn Production Act, 1917.

17. The Wages Board shall be known under the title of "The Agricultural Wages Board (England and Wales)."

18. Any question upon the construction or interpretation of these Regulations shall, in the event of dispute, be referred to the Board of Agriculture and Fisheries for decision.

28th September.

### Liquor Control Order for the Hereford Area.

#### Limits of Area.

1. The area to which this Order applies is so much of the Hereford Area as comprises the Petty Sessional Divisions of Harewood End and Ross, and the Parishes of Eaton Bishop, Clehonger, Grafton, Lower Bullingham, Lugwardine, Hampton Bishop, Mordiford, Fownhope, Holme Lacy, Aconbury, Callow, Haywood, Dinedor and Allensmore in the County of Hereford.

#### Hours during which intoxicating liquor may be sold.

##### A.—For Consumption ON the Premises.

2. (1) The hours during which intoxicating liquor may be sold or supplied in any licensed premises or club for consumption on the premises shall be restricted and be as follows:—

##### On Weekdays:—

The hours between 12 noon and 2.30 p.m. and between 6 p.m. and 9 p.m.

##### On Sundays:—

The hours between 12.30 p.m. and 2.30 p.m. and between 6 p.m. and 9 p.m.

##### B.—For Consumption OFF the Premises.

(2) The hours during which intoxicating liquor may be sold or supplied in any licensed premises or club for consumption off the premises shall (subject to the additional restrictions as regards spirits) be restricted and be as follows:—

##### On Weekdays:—

The hours between 12 noon and 2.30 p.m. and between 6 p.m. and 8 p.m.

##### On Sundays:—

The hours between 12.30 p.m. and 2.30 p.m. and between 6 p.m. and 8 p.m.

[There are additional restrictions as to Spirits, and the usual clauses prohibiting treating, credit and the long pull.]

#### Dilution of Spirits.

##### A.—Compulsory.

10. (a) No person shall on or after the fifteenth day of October, 1917, either by himself or by any servant or agent—

- (1) Sell or supply to any person in any licensed premises or club for consumption on or off the premises or dispatch therefrom any whisky, brandy, rum or gin unless reduced to 30 degrees under proof;

- (2) Introduce or cause to be introduced into the area any whisky, brandy, rum or gin unless reduced to 30 degrees under proof.

Provided always that the foregoing provisions of this Article shall not affect the sale or supply in bottles of whisky, brandy, rum or gin which is proved to have been bottled before the eighth day of October, 1917.

##### B.—Permissive.

- (b) The sale of whisky, brandy, rum and gin reduced to a number

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of degrees under proof which falls between 30 and 50 is hereby permitted.

(c) In determining whether an offence has been committed under the Sale of Food and Drugs Acts by selling to the prejudice of the purchaser whisky, brandy, rum or gin not adulterated otherwise than by an admixture of water it shall be a good defence to prove that such admixture has not reduced the spirit more than 50 degrees under proof.

#### Sale of Light Beer.

11. The Order of the Central Control Board (Liquor Traffic) made on the third day of July, 1916, with reference to the sale of light beer shall apply to the area and come into force on the eighth day of October, 1917.

#### Commencement of Order.

14. This Order shall come into force on the eighth day of October, 1917.

27th September.

A Supplemental Order applies to the Hereford Area the usual conditions as to the sale of medicated wines and the restrictions on the sale of intoxicating liquor under new Excise Licences.

### Board of Trade Order.

#### THE RAW COTTON (PRICES) ORDER, 1917.

Whereas by Regulation 21 of the Defence of the Realm Regulations the Board of Trade have the like powers as are given to the Food Controller under Regulations 2r and 2s inclusive, as respects any articles of commerce to which the powers of the Food Controller under those Regulations do not extend, where it appears to the Board necessary or expedient to exercise any of those powers for the purpose of encouraging or maintaining the supply of any such article which is required by the public or by any section of the public:

And whereas by virtue of Regulation 2r those powers include powers to make Orders regulating or giving directions with respect to the production, manufacture, treatment, use, consumption, transport, storage, distribution, supply, sale, or purchase of, or other dealing in, or measures to be taken in relation to, any article (including orders providing for the fixing of maximum and minimum prices):

And whereas by Order dated the 28th June, 1917, the Board of Trade prohibited the purchase or sale of Raw Cotton by any person except under a licence (general or special) granted by or under the authority of the Board of Trade or otherwise than in accordance with the conditions, if any, subject to which such licence is granted, which conditions might include conditions as to maximum prices:

And whereas it appears to the Board of Trade expedient to further exercise their powers as respects Raw Cotton in manner provided by this Order:

Now, therefore, on the recommendation of the Cotton Control Board, the Board of Trade, &c., do hereby order as follows:—

1. *Official Values.*—A Committee or Committees appointed by or under the authority of the Board of Trade shall fix and notify daily, or at such other intervals as may be determined by the Board, the official values of such classes of raw cotton as shall be specified by the Board from time to time.

2. *Mode of Calculation.*—The spot prices ruling in the Southern States of America in the case of American Cotton, in Alexandria in the case of Egyptian Cotton, and similarly in the country of origin in other cases, if any, shall be taken as the basis of official value, and to this shall be added approximate cost of transportation, insurance, placing in warehouse in Liverpool, and such profit and such other charge, if any, as the Board of Trade may from time to time allow.

3. *Prohibition of Dealings in Excess of Prices.*—No person shall offer or receive for raw cotton a price more than 5 per cent. in excess of the official value of that cotton last fixed unless he satisfies the appropriate Committee on application to them as provided for by the Instructions under this Order that the cost to him of the cotton which he proposes to sell, after taking into account the aforesaid costs and charges allowed, exceeds the permitted 5 per cent. in excess of the official value, in which case the Committee may allow such an increase in price as they consider reasonable in the circumstances.

4. *Where No Official Value Fixed.*—No person shall knowingly offer or receive for any growth or grade of Raw Cotton for which an official value has not been fixed a price which is more than 5 per cent. in excess



of what the value of that growth or grade of cotton would be on the day of the transaction if determined on the same principles and in the same way as the official values hereinbefore mentioned, or more than the cotton has cost him when freight, insurance, warehousing profit and other charges allowed in calculating official values are added, whichever is the higher. Provided that if, on the application of the buyer, as provided for by the Instructions under this Order, the appropriate Committee is satisfied that the price at which the cotton is sold exceeds the higher of the alternative limits of price imposed above they may reduce the price to the higher of the alternatives and the contract shall be completed accordingly.

5. *False Statements.*—No person shall wilfully make any false statement or representation or put forward any false document to the said Committees on any such applications as aforesaid.

6. *Penalties.*—Infringements of the Order are summary offences subject to penalties under the Defence of the Realm Regulations.

7. *Exclusion of Dealings in Futures.*—The dealings in Raw Cotton covered by this Order relate solely to dealings in actual Raw Cotton and do not cover what are commonly known on the Cotton Market as dealings in futures.

8. *Title.*—This Order may be cited as the Raw Cotton (Prices) Order, 1917.

9. *Commencement.*—This Order shall take effect as from the 1st day of October, 1917.

Dated this 21st day of September, 1917.

### Army Council Orders.

War Office,  
21st September, 1917.

#### SHEEP AND LAMBS' SKINS.

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby Order as follows:—

1. No person in Great Britain shall, without a permit issued by or on behalf of the Director of Raw Materials, fellmonger any skins taken from sheep or lambs.

2. All persons engaged in fellmongering sheep or lambs' skins shall furnish such particulars as to their business as may be required by or on behalf of the Director of Raw Materials.

3. This Order shall come into force on the 1st day of October, 1917.

War Office,  
24th September, 1917.

#### HOSIERY NEEDLES.

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby Order as follows:—

1. No person shall, without a permit issued by or on behalf of the Hosiery Needle Committee, enter into any contract for the purchase, sale, delivery, manufacture or loan of any Hosiery Latch Needles.

2. Before any contract of the description aforesaid is entered into, it shall be the duty of the parties to apply in such manner as may be described by or on behalf of the Director of Raw Materials to the Hosiery Needle Committee for a permit to complete the transaction, and no contract of the description aforesaid shall be completed by manufacture, delivery or payment unless and until such permit is issued by or on behalf of the said Committee.

3. No person shall make or take delivery of any Hosiery Latch Needles otherwise than in pursuance of a contract duly authorized by the said Committee in accordance with the provision thereof.

4. It shall be the duty of all parties to any of the transactions herein specified to require or disclose as the case may be all such information as may be necessary for or required by such parties as aforesaid, or by the said Committee or by the Director of Raw Materials, for the purpose of satisfying them or him that the provisions of this Order have not been contravened.

5. This Order shall come into force on the first day of October, 1917.

6. This Order may be cited as the Hosiery Needle Order, 1917.

War Office,  
29th September, 1917.

#### WOOL.

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations the Army Council hereby require all persons engaged in the Production, Manufacture, Purchase, Sale, Distribution, Transport, Storage, or Shipment of Wool, or of any article or material wholly or partly manufactured therefrom, or of any article required for or in connection with the production thereof, to give such particulars as to their business as may be required by or on behalf of the Director of Raw Materials.

War Office,  
29th September, 1917.

#### MERINO TOPS.

In pursuance of the powers conferred upon them by the Defence of the Realm Regulations, the Army Council hereby Order as follows:—

No person shall after the 30th day of September, 1917, deliver any Merino tops otherwise than under permit issued by or on behalf of the Director of Raw Materials, or against a rationing sub-certificate issued on the authority of a District Rationing Committee.

### Ministry of Munitions Orders.

#### ACETIC ACID.

In pursuance of the powers conferred upon him by Regulation 30A of the Defence of the Realm Regulations, the Minister of Munitions hereby orders that the War Material to which that Regulation applies shall include War Material of the following classes, that is to say:—

Glacial Acetic Acid;

Acetic Acid of a purity of 60 per cent. and over.

NOTE.—All applications and inquiries regarding this Order should be addressed to The Director, Chemical Section, Trench Warfare Supply Department, King Charles-street, Westminster, S.W. 1. [And see below.] 21st September.

#### GLASS AND GLASSWARE.

The Minister of Munitions, in exercise of the powers conferred upon him by the Defence of the Realm (Consolidation) Act, 1914, the Defence of the Realm (Amendment) No. 2 Act, 1915, the Defence of the Realm Regulations, the Munitions of War Acts, 1915 and 1916, and all other powers thereunto enabling him, hereby orders as follows:—

(1) Every person shall as from the date hereof in the manufacture of glass and glassware comply with all directions and regulations applicable to such manufacture whether of general application or otherwise which may from time to time be given or made by the Director of Glassware Supply on behalf of the Minister of Munitions.

(2) As from the date hereof no person shall manufacture and no manufacturer shall supply or deliver any chemical and medical glass (excluding bottles) or any electric lamp glass or any glass tubing and rod, except—

(a) In fulfilment of an order in writing given by an Ordering Firm (which expression shall include every person, firm or company giving an order) who shall have furnished to the manufacturer a declaration in writing stating that they are the holders of a direct contract from the Admiralty, War Office or Minister of Munitions, and specifying the reference and number of such direct contract, and stating that the glass specified in the order is required for the purpose of fulfilling such direct contract and for no other purpose, or

(b) In fulfilment of an order in writing which has been submitted

## THE HOSPITAL FOR SICK CHILDREN, GREAT ORMOND STREET, LONDON, W.C. 1.

### The CHILDREN OF TO-DAY are the CITIZENS OF TO-MORROW.

THE need for greater effort to counterbalance the drain of War upon the manhood of the Nation, by saving infant life for the future welfare of the British Empire, compels the Committee of The Hospital for Sick Children, Great Ormond-street, London, W.C. 1, to plead most earnestly for increased support for the National work this Hospital is performing in the preservation of child life.

The children of the Nation can truthfully be said to be the greatest asset the Kingdom possesses, yet the mortality among babies is still appalling, while the birthrate is slowly but surely declining.

FOR over 60 years this Hospital has been the means of saving or restoring the lives and health of hundreds of thousands of Children, and of instructing Mothers in the knowledge of looking after their children.

£5,000 has to be raised immediately to keep the Hospital out of debt.

Forms of Gift by Will to this Hospital can be obtained on application to—

JAMES McKAY, Acting Secretary.

to and approved by the said Director on behalf of the Minister of Munitions and a copy of which has been received by the manufacturer duly certified by the said Director as so approved, or

(c) Under and in accordance with the terms of a licence issued by the said Director on behalf of the Minister of Munitions.

(3) Every declaration made by an ordering firm for the purposes of this Order shall be signed by a partner, director, manager or other responsible official, and every statement contained therein shall be true and accurate.

(4) No person shall as from the date hereof buy, sell or deal in any chemical and medical glass, or any glass tubing and rod situated or to be manufactured outside the United Kingdom except under and in accordance with the terms of a licence issued by the said Director on behalf of the Minister of Munitions.

(5) No person shall as from the date hereof buy, sell or deal in any electric lamp glass, whether situated or to be manufactured in or outside the United Kingdom, except under and in accordance with the terms of a licence issued by the said Director on behalf of the Minister of Munitions; provided that nothing contained in this clause shall be deemed to prohibit the supply or delivery of any electric lamp glass by the manufacturer thereof in accordance with the provisions of clause 2 hereof, or any purchase or sale of or other dealing in any electric lamp glass which forms part of a manufactured article the total value of which exceeds four times the value of the electric lamp glass forming part thereof and which is *bona fide* sold with such glass.

(6) All persons shall furnish to the said Director as and when required by him such returns of glass and glassware at any time manufactured, purchased, sold, supplied or delivered by them at such times and in such form as the said Director shall from time to time direct. All persons heretofore required to furnish returns relating to glass and glassware shall until further notice continue to furnish returns in accordance with such previous requirements.

(7) Nothing in this Order shall affect any obligation to obtain from the Board of Trade (Department of Import Restrictions), 23, Carlisle-place, S.W. 1, or otherwise, import licences for the import of glass and glassware.

(8) For the purposes of this Order the expression "glass and glassware" shall include all kinds of glass or glassware made at the furnace, in the blow-pipe flame, or by any other process, or any of them; and the expression "Chemical and Medical Glass" shall include Resistance, Chemical and Bacteriological Glassware, Carboys, Thermometers, Miners' Safety Lamp Glasses, X Ray Tubes and Valves, and Glass for X Ray Apparatus, Artificial Glass Eyes, Hospital Glassware and Glass Vessels (graduated or otherwise) manufactured for the purpose of containing Reagents, Drugs, Medicines, Pharmaceutical or Biological Substances or Preparations, or any of them; and the expression "Electric Lamp Glass" shall include all glass used or intended for use in the manufacture of electric lamps, except glass used or intended for use in lamp caps for insulating purposes, but shall not include glass shades and similar accessories; and the expression "Glass Tubing and Rod" shall include all glass tubing and glass rod made by the process of drawing, or either of them.

(9) The Orders of the Minister of Munitions dated respectively the 2nd January, 1917, and the 23rd March, 1917, relating to certain classes of glass and glassware are hereby cancelled, but such cancellation shall not affect the previous operation of those Orders or the validity of any action taken under them or either of them, or the liability to any penalty or punishment in respect of any contravention or failure to comply with the same respectively prior to their cancellation or any proceeding or remedy in respect of such penalty or punishment.

(10) All applications in reference to the above Order should be made to the Director of Glassware Supply, Ministry of Munitions of War, 117, Piccadilly, London, W. 1.

(11) This Order may be cited as the Glass Control (Consolidated) Order, 1917.

19th September.

[Explanatory notes are appended.]

#### CALCIUM CARBIDE.

The Minister of Munitions in exercise of the powers conferred upon him by the Defence of the Realm Regulations and all other powers thereunto enabling him, hereby gives notice and orders as follows:—

1. He hereby takes possession as from the date hereof until further notice of all Calcium Carbide, now or hereafter situated in the United Kingdom, except the stocks of persons who do not own more than half a cwt.

2. If any person having control of any Calcium Carbide to which Clause 1 hereof applies, without the consent of the Minister of Munitions, sells, removes, or secretes it, or deals with it in any way contrary to any conditions imposed in any permit that may have been granted in respect thereof, he will be guilty of an offence against the Defence of the Realm Regulations.

3. No person shall, as from the date hereof, until further notice, buy, sell, or supply except for the purpose of carrying out a contract in writing existing at the date hereof, enter into any transaction or negotiation in relation to the sale or purchase of Calcium Carbide situated outside the United Kingdom, except under and in accordance with the terms of a Permit issued under the authority of the Minister of Munitions.

4. No person shall, as from the date hereof until further notice, offer to sell, sell, supply or deliver any Calcium Carbide situated in the

United Kingdom except under and in accordance with the terms of a permit issued under the authority of the Minister of Munitions.

5. All persons shall within seven days from the first day of each month commencing in the month of October, 1917, send in to the

Controller of Non-Ferrous Materials Supply,  
AM2/H,

Hotel Victoria,  
Northumberland Avenue,  
London, W.C. 2,

monthly returns of:—

(a) All Calcium Carbide held by them on the last day of the preceding month.

(b) All Calcium Carbide purchased or sold by them for future delivery and not yet delivered on such last day.

(c) All Calcium Carbide delivered to them during the preceding month.

Notwithstanding the above, no return is required from any person where total stock of Calcium Carbide in hand and on order for future delivery to him has not at any time during the preceding month exceeded half a cwt.

6. All applications in reference to this order shall be made to

The Controller of Non-Ferrous Materials Supply,

AM2/H,  
Hotel Victoria,  
Northumberland Avenue,  
London, W.C. 2,

and marked "Calcium Carbide."

24th September

#### Acetic Acid.

EXTENDING THE ORDER OF THE MINISTER OF MUNITIONS OF THE 21st SEPTEMBER, 1917, AS TO ACETIC ACID.

Whereas by an Order dated the 21st September, 1917, the Minister of Munitions, in pursuance of the powers conferred upon him by Regulation 30A of the Defence of the Realm Regulations, applied that regulation to certain war material, namely, glacial acetic acid and acetic acid of a purity of 60 per cent. and over:

And whereas the Minister of Munitions is desirous of applying that regulation to acetic acid of all strengths:

Now, therefore, the Minister of Munitions hereby orders that on and after the date hereof the war material to which that regulation applies shall include in addition to the war material specified in the said Order of the 21st September, 1917, the following war material, that is to say:—  
Acetic Acid of all strengths.

Note.—All applications and inquiries regarding this Order should be addressed to:—The Director, Chemical Section, Trench Warfare Supply Department, St. Ermin's Hotel, Westminster, S.W. 1.

1st October.

#### Winter Lights Order.

The Commissioner of Police wishes to draw attention to the new Lights Order for the Metropolis, which came into force on Monday, 1st October. Its provisions are substantially the same as in previous Orders, but the revised times are as follows:—

1st-15th Oct.	... 6.30 p.m.	till one hour before sunrise.
16th-31st Oct.	... 6.0 p.m.	" " " " " "
1st-15th Nov.	... 5.30 p.m.	" " " " " "
16th Nov.-31st Jan.	... 6.0 p.m.	" " " " " "
During Feb.	... 6.30 p.m.	" " " " " "
During March	... 7.30 p.m.	" " " " " "
During April	... 8.30 p.m.	" " " " " "

#### The New Blockade Order.

The director of the War Trade Department calls attention to the Royal Proclamation of 29th September, 1917, prohibiting the export, as from 8th October, 1917, of all goods (with the following exceptions) to Sweden, Denmark, Norway, and Holland:—

(1) Printed matter of all descriptions, which will, however, remain subject to the Censorship Regulations.

(2) Personal effects accompanied by their owner.

It is not proposed immediately to refuse all consideration of applications for the grant of licences for the export of goods which have not hitherto been prohibited from export to Norway, Sweden, Denmark, and Holland, but which now become prohibited under the Royal Proclamation in question. Exporters are warned, however, that the continuance of this arrangement must not be counted upon.

The special arrangements in regard to the export of goods to Sweden notified in the announcement issued by the War Trade Department on 18th August, 1916, are hereby withdrawn as from 8th October, 1917, Sweden being thus placed on the same footing as the other Scandinavian countries and Holland.

This Order also applies to articles consigned by parcel post.

Meanwhile licences already issued for the export of goods to the above countries must be regarded as provisionally suspended. This, however, will not apply to the shipment of coal.

## Societies.

### Bristol Incorporated Law Society.

The following are extracts from the report of the council of this society, presented at the forty-seventh annual general meeting held on the 1st inst. :—

**The War.**—There are now fifty-six solicitors (out of 250) serving with His Majesty's Forces. Since the last annual report, Sergeant J. A. H. Daniell (Royal Garrison Artillery) has been killed in action, while Second Lieutenant G. A. B. Montague, owing to severe wounds, and Private B. H. J. Dixon have been invalided out. The death of Mr. Daniell is much regretted; he was over military age, and in spite of business claims, second to none in the profession, he insisted on attaining his ambition of going to France, and altogether he was a splendid example. Twenty-eight articulated clerks are now serving, one, namely, Lieut. A. H. Deacon (articled to Mr. Walter Watts) was killed in action in February last, while Gunner J. H. Tindal (articled to Messrs. Meade-King, Cooke & Co.) died in hospital in Natal. Captain A. E. Hopkins (articled to Messrs. Barry & Harris) has had the honour of being awarded the Military Cross.

The committee of the council, whose work was referred to in the last report, has been again assisting to the best of its ability the local tribunals and members of the society with regard to military service of solicitors and their clerks. The committee recently reported that in their opinion it was undesirable to seek any special protection against military service for solicitors and their managing clerks, as the protection of the committee and of the tribunals was, they considered, sufficient. In this view they were in agreement with the Law Society and most of the provincial societies.

A fund of £125 3s. 11d. was raised by the council for the entertainment of wounded soldiers, and on 21st August, 1917, 1,387 soldiers were entertained by the society at the Zoological Gardens, Clifton.

**Legal Education.**—During the year only one articulated clerk from Bristol passed the Final Examination of the Law Society, while there were no candidates for the Intermediate Examination. All the courses of lectures have been suspended.

**County Courts.**—At the request of the chairman of the Lord Chancellor's Committee on County Courts, your society appointed a committee to consider local conditions, when they made the following recommendations :—

- 1.—That the Axbridge Court be abandoned, the area at present administered there being brought into the Wells and Weston-super-Mare areas.
- 2.—That the Thornbury district and part of the Chipping Sodbury district be brought into the Bristol area and the remainder included in the Dursley district.
- 3.—That no separate court be established at either Clevedon or Yatton.
- 4.—That the Weston-super-Mare bankruptcy business be taken at Bristol in lieu of Bridgwater, if (which the council recommended) bankruptcy jurisdiction be not conferred on the Weston-super-Mare Court.

The council are greatly indebted to Mr. F. E. Metcalfe for the preparation of maps showing the proposed redistribution of county courts.

### Belgian Lawyers' Relief Fund.

**ERRATUM.**—For "H. Byard Sheppard, Esq., £3 3s." please read: The Somerset Law Society, per H. Byard Sheppard, Esq., third donation, £3 3s.

## The Pensions Appeal Tribunal.

A meeting of the Pensions Appeal Tribunal, sitting at 22, Abingdon-street, Westminster, was, says the *Times*, held on Tuesday, Judge Parry presiding.

Walter Frederick Evemy, formerly a grocer's assistant, now living in Kensington, appealed against a decision given at Chelsea in respect of the amount of pension to which he claimed to be entitled. He said he was twenty-five years of age, and after serving in a regular cavalry regiment in peace time he rejoined the Army on 10th August, 1914. After rejoining he went first to Bristol, and thence to the Curragh, where he became mounted orderly to the officer commanding an Irish Division. The winter was a bad one, and he was wet through day after day. From September to November he was under canvas with one blanket. He later "went sick" with pains in the chest and headaches. He was in hospital several times. In March, 1916, he was suffering from spasmodic attacks of bronchitis. Finally, he was before a medical board on 23rd April, and his condition, on being passed out of the Army, was certified as "probably aggravated by military service."

Judge Parry: This man was seen by two doctors, and a medical board certified that his condition was aggravated by military service. But the people at Chelsea, who have never seen him at all, have over-ruled this. I cannot understand on what grounds this has been done.

Mr. Plummer (Assistant Secretary to the Ministry of Pensions) said that there was a further examination of Evemy last September.

Judge Parry: It is inexplicable that the decision of the medical board should have been over-ruled by an officer who has never seen this man. The case appears to have been before the Ministry of Pensions in August. We have a great deal of work to do here, and to have this case before us is pure waste of time. The evidence is all one way.

The other members of the tribunal assenting, Judge Parry (addressing Evemy) said: Your appeal is allowed. Your unfitness is admitted, and that your condition has been aggravated by military service is clear from the invaliding documents.

## Obituary.

*Qui ante diem perlit,  
Sed miles, sed pro patria.*

### Lieut.-Col. Cyril B. Johnson.

Lieutenant-Colonel CYRIL BENTON JOHNSON, Sherwood Foresters, who was killed on 21st September, aged twenty-seven, was the eldest son of Mr. C. F. Johnson, clerk to the Stockport Board of Guardians. He was educated under Mr. C. J. Doble, of Moorland House, Heswall, and afterwards proceeded to Charterhouse, and from there to Christ Church, Oxford, where he graduated B.A. He was a fine athlete, and obtained his blue for Association football. On leaving Oxford he was articled with Mr. Walter Norton, of the firm of Norton, Rose, Barrington & Co., of Old Broad-street, E.C., and he was about to take his final examination when war broke out. He was an officer in the Sherwood Territorials, and he immediately offered himself for service and went to the front with his battalion in 1914. During his active service he was wounded with shrapnel and came home, but on recovery returned to the front. He gained rapid promotion, being captain, adjutant of the battalion, major, and then lieutenant-colonel. Last May he was married to Miss Dorothy Lord, only daughter of Mr. Charles Lord, solicitor, of Manchester and Buxton, and he returned to the front about a fortnight ago.

### Major Forster M. Armstrong.

Major FORSTER MOORE ARMSTRONG, R.F.A., of Westoe House, South Shields, son of the late Dr. J. F. Armstrong, was killed on 25th September, aged forty-one. He received his commission in the 3rd Durham Volunteer Artillery in 1902, and passed with distinction in garrison artillery in 1904. On the formation of the Territorial Force this corps was reconstituted as part of the 4th Northumbrian Howitzer Brigade, R.F.A., Major Armstrong continuing with the corps. A year or two before the war broke out he volunteered for active service abroad in case of need. On the outbreak of war he became adjutant of the 50th (Northumbrian) Divisional Ammunition Column, and continued in that position till early in the present year, being mentioned in dispatches. He was then promoted major and given command of a battery of field artillery. Major Armstrong, who was admitted in 1902, was a partner in the firm of J. M. Moore & Armstrongs, South Shields, who succeeded to the private practice of his grandfather, Mr. J. M. Moore, the late town clerk of South Shields. Major Armstrong was educated at the South Shields High School, at Giggleswick School, where he played in the school Rugby XV., and at Christ's College, Cambridge, where he graduated LL.B. in the Law Tripos in 1899.

### Lieutenant Alexander B. Campbell.

Lieutenant ALEXANDER BOSWELL CAMPBELL, Royal Sussex Regiment, killed on 13th September, was the second son of the late Bruce Campbell, of Barquharrie, Ayrshire, and of the Inner Temple, barrister-at-law, and of Mrs. Campbell, of Priesthaus, Hankham, Sussex. Born in 1877, he was educated at Cheltenham College, and was admitted a solicitor in 1904. He was a well-known sportsman, and from boyhood had hunted regularly with many packs of hounds, but will be remembered by a wide circle of friends as master for twelve seasons of the Hailsham Harriers, which he hunted himself from his home at Priesthaus, Sussex. At the outbreak of the war he joined the U.P.S. Brigade, and was shortly afterwards gazetted to the Sussex Yeomanry. Last July he was transferred to the Royal Sussex Regiment. In 1911 he married Constance Ida, eldest daughter of Sir Frederic Hamilton, Bt., and Lady Hamilton, of Avoncliffe, Warwickshire.

### Lieutenant Richard H. Montagu.

Lieutenant RICHARD H. MONTAGU, Hampshire Regiment, was the youngest son of the late Hyman Montagu, F.S.A., and Mrs. Montagu, of 34, Queen's-gardens, W. He received his early education at Lockers Park, entered Rugby with a scholarship, where he was head of his house, and proceeded to Balliol. He passed the final law examination in honours, and was admitted in 1907, and became a partner in his



father's firm, Messrs. Montagu, Mileham, & Montagu, 5 and 6, Bucklersbury, E.C. Soon after the outbreak of the war he joined the Hampshire Regiment, and was gazetted in January, 1915, and acted as bombing instructor until last July, when he left for the front. He was killed gallantly leading his men in the advance on 21st September, five days after his thirty-fifth birthday. He was a most gifted musician and an able lawyer.

### Lieutenant Ronald Y. Herbert.

Lieutenant RONALD YOUNG HERBERT, R.F.A., who was killed on 23rd September, was born in 1878, and educated at Bradfield College and Balliol College, Oxford, where he took second-class honours in the Modern History Schools in 1901. He was admitted a solicitor in May, 1905, and was working in the City in the office of Messrs. Morley, Shireff, & Co. He joined the R.F.A. in 1915, and was twice wounded. His name was mentioned in Sir Douglas Haig's dispatch.

## Legal News.

### Changes in Partnerships.

#### Dissolutions.

G. GORDON COXWELL, EDWARD PAICE and ARTHUR LIONEL CANNING, solicitors and notaries (Coxwell, Paice & Canning), Broadway-buildings, Reading, September 29. In consequence of the retirement of Mr. Paice, on being called up for military service; the business will continue to be carried on by Messrs. Coxwell & Canning, at the same address as hitherto, under the style or firm of "Coxwell & Canning."

Sir GEORGE HEYNES RADFORD and JAMES FRANKLAND, solicitors (Radford & Frankland), 27, Chancery-lane, London. Sept. 29.

[Gazette, October 2.

#### General.

Mr. Reginald Tuffley Harding, of Bruton-street, Berkeley-square, W., and 50, Lincoln's Inn-fields, solicitor, left estate of gross value £25,424.

Mr. Howard Chatfield-Clarke, F.R.I.B.A., a past President of the Surveyors' Institution, of Inverness-terrace, Bayswater, W., and Bishopsgate, E.C., surveyor of the Fishmongers' and Cordwainers' Companies, left estate of gross value £45,016.

Sir Frederick Low, K.C., aged seventy-two, one of the Justices of the King's Bench Division of the High Court of Justice, of Sloane-gardens, S.W., Recorder of Ipswich, 1906-1915, Liberal M.P. for Norwich, 1910-1915, left estate of gross value £14,321.

At Spalding County Court on Wednesday, £20 damages and costs were awarded against Mr. L. S. Riggall, of Barton-on-Humber, for enticing away a farm servant from the employment of Mrs. M. E. Campain, of Deeping St. Nicholas, near Spalding. The man was engaged for twelve months, but left after three months, giving a month's notice, although Mrs. Campain advised the new employer that the man was under a twelve months' agreement.

During the hearing by the War Pensions Tribunal of a case in which an applicant was reported fit for general service by a Medical Board and was shortly afterwards informed by his own doctor that he was in a bad state of health, and admitted to a military hospital, Judge Parry referred to the discrepancies between the Army report and the applicant's own account. "It shows," he remarked, "what the Army reports are worth when, immediately after he is certified fit, he is taken into a military hospital."

"Prussian Law in Belgium and Nurse Edith Cavell" is the subject of a lecture to be given on Friday, 12th October, by M. Gaston de

Leval, at the Æolian Hall, New Bond-street. The Hon. Sir Arthur Stanley will preside, and the United States Ambassador has promised to attend.

A meeting of the Committee on War Damage was held at the Mansion House on 28th ult., the Lord Mayor in the chair. The Lord Mayor reported that the sub-committee, consisting of himself, Lord Parmoor, and Mr. Mark Judge, had been in communication with Mr. Lloyd George's private secretary, but so far the Prime Minister had been too busy to deal further with the question of Government compensation for damage caused by air raids and bombardments. A resolution was passed agreeing that the pronouncement made by Mr. Lloyd George on 14th July offered a satisfactory solution, and the Committee of three was requested to meet forthwith the body authorized by the Government, in order that a practical scheme might be formulated without delay.

To obtain first-hand evidence regarding the methods of taking evidence and the procedure in cases where women are charged with moral offences, the Association for Moral and Social Hygiene are organising a rota of police court visitors, as it is believed that by this means valuable information will be gained, which may form a basis for definite recommendations for improvements in the law. Public lectures on the subject will be given at 5.30 p.m. on Fridays, beginning next Friday, at the Fabian Hall, 25, Tothill-street, S.W.

Mr. Hayes Fisher presided at the Local Government Board on the 27th ult. at a private conference on the housing problem. As a result of the scheme which is being considered it is expected that over 200,000 subsidised workmen's cottages will be built in various parts of the country. They will be of a cheap but neat type, and it is expected that no tenant who does not come under the National Insurance scheme will be allowed to occupy them. Special attention will be given to the needs of the rural districts, and building will begin on the demobilisation of the Army.

Sir Arthur Richard Jeff, formerly a Judge of the King's Bench Division of the High Court, a Bencher of the Inner Temple from 1884, and Recorder of Shrewsbury, 1879-1901, of Oak House, Carlton-road, Putney, and the Athenæum Club, who died on 4th July, has left estate of the gross value of £70,614, including personality of the net value of £69,990. Among other legacies the testator bequeathed £350 to his clerk, A. E. Moorman, and £300 to his former clerk, W. Vinnicombe. The residue of the estate is left in trust for his wife for life, and then for his six children.

The Bootle Bench on the 27th ult. says the *Times*, heard a summons under the Sugar (Domestic Preserving) Order, 1917, against a person who had obtained a further quantity of sugar for preserving apples, pears, and grapes. The Town Clerk stated that he had telegraphed to the Ministry of Food asking whether apples, pears, and grapes were stone fruit, within the meaning of the Order, and had been informed that applications for preserving sugar solely on account of apples and pears were not justified, but there was no objection if stone fruit was also grown. Grapes were not recognised. The defendant was fined 40s.

Lord Parmoor, speaking on the 28th ult. at a meeting of the Bucks Agricultural Chamber of Commerce, said that, after nearly fifty years of practical experience, he found himself in agreement with the views of Sir Rider Haggard. The 60s. beef price after Christmas was almost universally condemned; and was impossible in the Hill district. The 45s. minimum price for wheat could not benefit farmers. The Board of Agriculture had published statistics of the cost of production of wheat per acre from actual statistics at from £11 to £12. These returns were based on an average return of 34 quarters per acre; 34 quarters of wheat at 45s. came to less than £8 an acre, or in other words, the guarantee would mean a loss of from £3 to £4 an acre. In his opinion there was no immediate prospect of a diminished cost of production. Were it not that the Corn Production Act allowed an appeal to an impartial tribunal against local committees or the Board of Agriculture, he should look with great distrust on official interference.

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